MIC

Form (2)

Republic of the Union of Myanmar ★ Myanmar Investment Commission ★

Sr.No............

Date..............

THE REPUBLIC OF THE UNION OF MYANMAR

The Myanmar Investment Commission

PERMIT

Permit No. 806 /2014 Date 13th, October 2014

This Permit is issued by the Myanmar Investment Commission according to the section 13, sub - section (b) of the Republic of the Union of Myanmar Foreign Investment Law-

(a) Name of Investor/Promoter MR. QUANGU DU

(b) Citizenship CHINESE

(c) Address NO. 31, MINFENG HUTONG, XIDAN OF XICHENG DISTRICT, BEIJING CITY

(d) Name and Address of Principal Organization CHINA NATIONAL FISHERIES CORP, NO. 31, MINFENG HUTONG, XIDAN OF XICHENG DISTRICT, BEIJING CITY

(e) Place of Incorporation CHINA

(f) Type of Investment Business PROCESSING, PRODUCTION, FREEZING, AND EXPORTING OF SALT- WATER FISH

(g) Place(s) at which Investment is permitted PLOT NO. 32, HLAING THARYAR INDUSTRIAL ZONE (3), HLAING THARYAR TOWNSHIP, YANGON REGION

(h) Amount of Foreign Capital US$ 0.5 MILLION

(I) Period for Foreign Capital Brought In WITHIN 1 YEAR FROM THE DATE OF ISSUANCE OF MIC PERMIT

(j) Total amount of capital (Kyat) EQUIVLENT IN KYATS OF US$ 0.5 MILLION

(k) Construction Period ONE YEAR

(l) Validity of investment permit 10 YEARS

(m) Form of investment WHOLLY FOREIGN OWNED INVESTMENT

(n) Name of Company incorporated in Myanmar

MYANMAR CNFC COMPANY LIMITED

Chairman

The Myanmar Investment Commission

ပြည်ထောင်စုသမ္မတမြန်မာနိုင်ငံတော်
မြန်မာနိုင်ငံရင်းနှီးမြှုပ်နှံမှုကော်မရှင်
ခွင့်ပြုမိန့်

ခွင့်ပြုမိန့်အမှတ် ၈၀၆ / ၂၀၁၄ ၂၀၁၄ ခုနှစ် အောက်တိုဘာလ ၃ ရက်

ပြည်ထောင်စုသမ္မတမြန်မာနိုင်ငံတော် နိုင်ငံခြားရင်းနှီးမြှုပ်နှံမှု ဥပဒေပုဒ်မ ၁၃၊ ပုဒ်မခွဲ (ခ) အရ ဤခွင့်ပြုမိန့်ကို မြန်မာနိုင်ငံ ရင်းနှီးမြှုပ်နှံမှု ကော်မရှင်က ထုတ်ပေးလိုက်သည်-

(က) ရင်းနှီးမြှုပ်နှံသူ/ကမကထပြုသူ၏အမည် MR. QUANGU DU

(ခ) နိုင်ငံသား CHINESE

(ဂ) နေရပ်လိပ်စာ NO. 31, MINFENG HUTONG, XIDAN OF XICHENG DISTRICT, BEIJING CITY

(ဃ) ပင်မအဖွဲ့အစည်းအမည်နှင့်လိပ်စာ CHINA NATIONAL FISHERIES CORP , NO. 31, MINFENG HUTONG, XIDAN OF XICHENG DISTRICT, BEIJING CITY

(င) ဖွဲ့စည်းရာအရပ် CHINA

(စ) ရင်းနှီးမြှုပ်နှံသည့်လုပ်ငန်းအမျိုးအစား ရေငန်ငါးများ ပြုပြင်ထုတ်လုပ်ခြင်း၊ အေးခဲခြင်းနှင့် ပြည်ပသို့ တင်ပို့ရောင်းချခြင်းလုပ်ငန်း

(ဆ) ရင်းနှီးမြှုပ်နှံသည့်အရပ်ဒေသ(များ) မြေကွက်အမှတ် ၃၂၊ လှိုင်သာယာစက်မှုဇုန် အပိုင်း ၃၊ လှိုင်သာယာမြို့နယ်၊ ရန်ကုန်တိုင်းဒေသကြီး

(ဇ) နိုင်ငံခြားမတည်ငွေရင်း ပမာဏ အမေရိကန်ဒေါ်လာ ၀.၅ သန်း

(ဈ) နိုင်ငံခြားမတည်ငွေရင်းယူဆောင်လာရမည့်ကာလ ကော်မရှင်ခွင့်ပြုမိန့်ရရှိပြီး ၁ နှစ် အတွင်း

(ည) စုစုပေါင်း မတည်ငွေရင်းပမာဏ(ကျပ်) အမေရိကန်ဒေါ်လာ ၀.၅ သန်း နှင့်ညီမျှသော မြန်မာငွေ

(ဋ) တည်ဆောက်မှုကာလ ၁ နှစ်

(ဌ) ရင်းနှီးမြှုပ်နှံခွင့်ပြုသည့် သက်တမ်း ၁၀ နှစ်

(ဍ) ရင်းနှီးမြှုပ်နှံမှုပုံစံ ရာခိုင်နှုန်းပြည့်နိုင်ငံခြားရင်းနှီးမြှုပ်နှံမှု

(ဎ) မြန်မာနိုင်ငံတွင် ဖွဲ့စည်းမည့် ကုမ္ပဏီ အမည် MYANMAR CNFC COMPANY LIMITED

ဥက္ကဋ္ဌ
မြန်မာနိုင်ငံရင်းနှီးမြှုပ်နှံမှုကော်မရှင်

THE REPUBLIC OF THE UNION OF MYANMAR
MYANMAR INVESTMENT COMMISSION
NO.1, THITSAR ROAD, YANKIN TOWNSHIP, YANGON

Our ref : YaKa-3/FI-1020/ 2014(၃၈၃- a)
Date : 15th October 2014

Tel: 95-1-658128
Fax: 95-1-658136

Subject : **Decision of the Myanmar Investment Commission on the Proposal for "Processing, Production, Freezing and exporting of Salt- Water Fish" under the name of Myanmar CNFC Company Limited.**

Reference: Myanmar CNFC Company Limited Letter dated 25-4-2014

1. The Myanmar Investment Commission, at its meeting (22/ 2014) held on (19-9-2014) had approved the proposal for investment in "Processing, Production, Freezing and exporting of Salt- Water Fish" under the name of "Myanmar CNFC Company Limited" submitted as a wholly owned foreign investment.

2. Hence, the "Permit" is herewith issued in accordance with Chapter VII, section 13(b) of the Republic of the Union of Myanmar Foreign Investment Law and Chapter VIII, Rule 49 of the Foreign Investment Rules relating to the said Law. Terms and conditions to the "Permit" are stated in the following paragraphs.

3. The permitted duration of the project shall be initial 10 (ten) years commencing from the date of signing of the Lease Agreement for land and building and extendable for 5 (five) years 2 (two) times period by mutual agreement between U Aung Hote Sein @ U Aye Sein and Myanmar CNFC Company Limited.

4. The annual rent for the land shall be US$ 43,079 calculated at the rate of US$ 5 per square metre of leased land area of 0.831 acres (3362.94 square metres) and US$ 5.5 per square metre of building area of 1.180 acres (4775.295 square metres). The rate of rent shall be revised in view of prevailing land lease rates after 5(five) years period and increase of the rent shall not be more than 10% of the preceding annual rent.

5. In issuing this "Permit," the Commission has granted, the followings, exemptions and reliefs as per Chapter XII, section 27(a), (h) and (k) of the Foreign Investment Law. Other exemptions and reliefs under section 27 shall have to be applied upon the actual performance of the project;

(a) As per section 27(a), income tax exemption for a period of five consecutive years including the year of commencement on commercial operation;

(b) As per section 27(h), exemption or relief from customs duty or other internal taxes or both on machinery, equipment, instruments, machinery components, spare parts and materials used in the business which are imported as they are actually required for use during the period of construction of business;

(c) As per section 27(k), exemption or relief from commercial tax on the goods produced for export.

6. Myanmar CNFC Company Limited shall have to sign the Lease Agreement for land and building with U Aung Hote Sein @ U Aye Sein. After signing the Agreement, five copies shall have to be forwarded to the Commission.

7. Myanmar CNFC Company Limited in consultation with the Department of Company Registration, Directorate of Investment and Company Administration shall have to be registered. After registration, (5) copies each of Certificate of Incorporation and Memorandum of Association and Articles of Association shall have to be forwarded to the Commission.

8. Myanmar CNFC Company Limited shall use its best efforts for timely realization of works stated in the Proposal. If none of such works has been commenced within one year from the date of issue of this "Permit", it shall become null and void.

9. Myanmar CNFC Company Limited has to abide by Chapter X, Rule 58 and 59 of the Foreign Investment Rules for construction period.

10. As per Chapter X, Rule 61 of the Foreign Investment Rules, extension of the construction period shall not be allowed more than twice except it is due to unavoidable events such as natural disasters, instabilities, riots, strikes, a state of emergency and outbreak of wars.

11. As per Chapter X, Rule 63 of the Foreign Investment Rules, if Myanmar CNFC Company Limited cannot construct completely in time the construction period or extension period, the Commission will have to withdraw the permit issued to the investor and there is no refund for the expenses of the project.

12. The commercial date of operation shall be reported to the Commission.

13. Myanmar CNFC Company Limited shall endeavour to meet the targets for production stated in the proposal as the minimum target.

14. The Commission approves periodical appointments of foreign experts and technicians from abroad as per proposal in accordance with Chapter XI, section 24 and section 25 of Foreign Investment Law and the Myanmar CNFC Company Limited has to follow the existing Labour Law for the recruitment of staff and labour in accordance with Chapter XIII, Rule 84 of the Foreign Investment Rules.

15. In order to evaluate foreign capital and for the purpose of its registration in accordance with the provisions under Chapter XV, section 37 of Foreign Investment Law, it is compulsory to report as early as possible in the following manner:-

(a) the amount of foreign currency brought into Myanmar, attached with the necessary documents issued by the respective bank where the account is opened

and defined under Chapter XVI, Rules 134 and 135 of the Foreign Investment Rules;

(b) the detailed lists of the type and value of foreign capital defined under section 2(i) of the said Law, other than foreign currency.

16. Myanmar CNFC Company Limited brings in foreign capital defined under section 2(i) of the said Law, other than foreign currency in the manner stated in paragraph 15(b) mentioned above, the Inspection Certificate endorsed and issued by an internationally recognized Inspection Firm with regard to quantity, quality and price of imported materials shall have to be attached.

17. Myanmar CNFC Company Limited has the right to make account transfer and expend the foreign currency from his bank account in accordance with Chapter XVI, Rule 136 of the Foreign Investment Rules and for transfer of local currency generated from the business to the local currency account opened at the bank by a citizen or a citizen-owned business in the State and right to transfer back the equivalent amount of foreign currency from the foreign currency bank account of citizen or citizen-owned business by submitting the sufficient documents in accordance with Chapter XVII, Rule 145 of the Foreign Investment Rules.

18. Myanmar CNFC Company Limited shall report to the Commission for any alteration in the physical and financial plan of the project. Cost overrun, over and above the investment amount pledged in both local and foreign currency shall have to be reported as early as possible.

19. Myanmar CNFC Company Limited shall abide by the existing fisheries rules and regulation of Department of Fisheries, Ministry of Livestock, Fisheries and Rural Development for export.

20. Myanmar CNFC Company Limited shall be responsible for the preservation of the environment at and around the area of the project site. In addition to this, Myanmar CNFC Company Limited shall carry out as per instructions made by Ministry of Environmental Conservation and Forestry in which to conduct Environmental Impact Assessment (EIA) process and an Environmental Management Plan (EMP) which describe the measure to be taken for preventing, mitigation and monitoring significant environmental impacts resulting from the implementation and operation of proposed project or business or activity has to be prepared and submitted and to perform activities in accordance with this EMP and to abide by the environmental policy, Environmental Conservation Law and other environmental related rules and regulations meanwhile Myanmar CNFC Company Limited has made a commitment to conduct Environmental Impact Assessment (EIA) report through Green Enviro Services Ltd.

21. Myanmar CNFC Company Limited shall contribute 2% of annual net profit for Corporate Social Responsibility (CSR) activities in Myanmar.

22. After getting permit from Myanmar Investment Commission, Myanmar CNFC Company Limited shall have to be registered at the Directorate of Industrial Supervision and Inspection.

23. Myanmar CNFC Company Limited shall have to abide by the Fire Services Department's rules, regulations, directives and instructions. Moreover, fire prevention measures shall have to undertake such as water storage tank, fire extinguishers and provide training to use the fire fighting equipments.

24. Payment of principal and interest of the loan (if any) as well as payment for raw materials and spare parts etc., shall be made out of export earnings of Myanmar CNFC Company Limited

25. Myanmar CNFC Company Limited in consultation with Myanma Insurance, shall effect such types of insurance defined under Chapter XII, Rule 79 and 80 of the Foreign Investment Rules.

(Zay Yar Aung)
Chairman

Myanmar CNFC Company Limited

cc:
1. Office of the Union Government of the Republic of the Union of Myanmar
2. Ministry of Home Affairs
3. Ministry of Foreign Affairs
4. Ministry of Livestock, Fisheries and Rural Development
5. Ministry of Environmental Conservation and Forestry
6. Ministry of Electric Power
7. Ministry of Immigration and Population
8. Ministry of Industry
9. Ministry of Commerce
10. Ministry of Finance
11. Ministry of National Planning and Economic Development
12. Ministry of Labour, Employment and Social Security
13. Office of the Yangon Region Government
14. Director General, Department of Environmental Conservation
15. Director General, Immigration and National Registration Department
16. Director General, Directorate of Industrial Supervision and Inspection
17. Director General, Directorate of Trade
18. Director General, Internal Revenue Department

19. Director General, Customs Department
20. Director General, Directorate of Investment and Company Administration
21. Director General, Directorate of Human Settlement and Housing Development
22. Director General, Directorate of Labour
23. Managing Director, Myanma Electric Power Enterprise
24. Managing Director, Myanma Foreign Trade Bank
25. Managing Director, Myanma Investment and Commercial Bank
26. Managing Director, Myanma Insurance
27. Chairman, Republic of the Union of Myanmar Federation of Chambers of Commerce and Industry (UMFCCI)